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C O N F I D E N T I A L SECTION 01 OF 03 MANILA 001843

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [MOPS](#) [RP](#)
SUBJECT: CONTENTIOUS VFA HEARING REVIVES CRITICISM OF U.S.
MILITARY PRESENCE

Classified By: Ambassador Kristie A. Kenney, reason: 1.4 (b) and (d).

SUMMARY

11. (C) Critics of the U.S.-Philippine Visiting Forces Agreement (VFA) turned out in force for an August 27 oversight hearing chaired by one of the Philippines most strident and thorny politicians, Senator Miriam Defensor Santiago. The hearing came in response to a New York Times article that stated that the U.S. Department of Defense had decided to extend the deployment of the 600-member Joint Special Operations Task Force Philippines (JSOTF-P). The story received widespread negative coverage in the Philippines, prompting Arroyo administration officials to defend JSOTF-P's mission in the face of questions from legislators and other critics about the constitutionality of the Task Force's deployment and U.S. intentions. The Ambassador and other Mission members worked closely with Philippine government officials to help them craft a strong defense of our bilateral security pact, and gave extensive press interviews to counter misperceptions about U.S. intentions fostered by leftist activists. These developments have increased the unfortunate possibility that our military engagement with the Philippines could become an issue in the 2010 elections. End Summary.

WAKING THE DRAGON

12. (SBU) The Philippine press has extensively covered an August 20 New York Times article reporting that Defense Secretary Gates had decided to continue the deployment of the 600-member Joint Special Operations Task Force Philippines (JSOTF-P). Several senior Philippine officials told Post that the news of an extension of JSOTF-P's deployment came as a surprise because they had not been told the USG was reviewing the deployment. Arroyo administration officials, including Defense Secretary Gilbert Teodoro and Office of the President Executive Secretary Eduardo Ermita, used the VFA oversight hearing and press interviews to vigorously defend the USG military presence in the southern Philippines and explain JSOTF-P's limited role. Other high-profile politicians and media commentators skeptically questioned the constitutionality of JSOTF-P's multi-year deployment, the scope and intentions of JSOTF-P activities, and the extent of U.S. respect for Philippine sovereignty. The leftist umbrella organization Bayan Muna staged a small anti-VFA demonstration in front of the Embassy August 25.

CALLS FOR ABROGATION

13. (C) Philippine Senator Miriam Santiago, one of the Philippines' most vociferous and domineering politicians, was

among the leading skeptics. As co-chair of the bicameral Legislative Oversight Committee on the Visiting Forces Agreement, Santiago previously threatened to hold hearings that would air public criticism of the VFA. Philippine government contacts had indicated that Santiago's inclusion in President Arroyo's July visit to Washington had reduced the likelihood of such hearings, as Santiago heard firsthand of the importance of our security relationship during the Oval Office meeting.

¶4. (SBU) Reacting to the New York Times article, however, Santiago quickly scheduled a VFA oversight hearing on August 27, inviting top Philippine Government officials, academics, and NGO activists, many of whom hold strong anti-American views. Senator Santiago criticized the U.S. deployment, charging that the U.S. aimed to use the Philippines for "a defense ring against China" and was interested in Mindanao's petroleum and natural gas resources. She argued that the "global war on terrorism is purely an American concern, and is not part of the VFA," and said the Philippines "should just abrogate the (VFA) and then renegotiate something else."

¶5. (SBU) Senator Santiago expressed disagreement with the Supreme Court's decisions holding that the VFA is constitutional. Several academics shared Santiago's sentiment, and former Senate President Jovito Salonga, joined by left-wing activist groups like Bayan Muna and Gabriela, once again petitioned the Supreme Court to reverse its February decision that affirmed the constitutionality of the VFA. At the oversight hearing, the leftist advocates alleged

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that U.S. forces participated in Armed Forces of the Philippines (AFP) combat operations; they also characterized U.S. facilities in Mindanao as permanent structures, if not bases, and called for renegotiation or abrogation of the VFA.

MODERATES WAVER

¶6. (C) Even some more moderate politicians who have generally supported the VFA appeared to waver. House of Representatives member (and oversight committee co-chair) Antonio Cuenco said the House was not ready to support abrogation of the VFA but was open to renegotiating the agreement. Senator Rodolfo Biazon, a former chief of staff of the armed forces, acknowledged that the Senate lacked the authority to abrogate the VFA, but said there was growing public sentiment in favor of such a move. Biazon also indicated the U.S.-Philippine Mutual Defense Treaty might warrant review. Senator Joker Arroyo called for all presidential candidates in the 2010 election to disclose their views on the VFA.

¶7. (SBU) The VFA has drawn additional public attention because of well-publicized allegations by a former soldier, Nancy Gadian, who claimed that American troops engaged in combat operations in the Philippines. She admitted publicly that she had no direct knowledge of this, but had heard the claim from members of the Magdalo group, military officers who carried out the abortive Oakwood mutiny in 2003. Gadian also alleged that U.S. troops commonly availed of prostitutes' services. Senator Francis Pangilinan called for abrogation of the VFA, saying that Americans were not only "embedded in the AFP" but also were "in bed with Filipinas."

STRONG DEFENSE OF THE VFA

¶8. (SBU) Weeks of active outreach by the Ambassador and other Mission members to help prepare Philippine government officials for the eventuality of a VFA hearing clearly had a positive impact. Cabinet Executive Secretary Eduardo Ermita, Acting Justice Secretary Agnes Devanadera, Department of Foreign Affairs Undersecretaries Enrique Manalo and Edilberto

Adan, and Department of National Defense (DND) Undersecretary Alberto Valenzuela had well-rehearsed presentations bolstered by numerous examples of tangible benefits brought by the VFA.

They stressed the importance of the U.S. as a partner helping the government with counterterrorism efforts, training of the AFP, and development of Mindanao and other areas. U/S Adan emphasized that American soldiers were not involved in combat operations and only advised and trained their counterparts. He added that local governments have expressed appreciation for the humanitarian assistance accompanying U.S.-Philippine military exercises. Zamboanga Mayor Celso Lobregat was a good case in point, as he spoke supportively of the VFA and reminded legislators that they had visited U.S. facilities and seen for themselves that they were not bases.

¶9. (SBU) Devanadera and the DND U/S Valenzuela emphasized the constitutionality of the VFA and the legality of U.S. forces' activities. Summing up, Ermita said, "It is in the interest of the Philippines that we have the VFA, an agreement falling under the Mutual Defense Treaty. It provides the proper security balance and stability in the Philippines."

"OUT FOR LEFTIST VOTE"

¶10. (C) In a breakfast meeting with the Ambassador August 28 (septel), Secretary of National Defense Gilberto Teodoro criticized Senator Santiago's "obnoxious" statements, and posited that the Senator had held the hearings to garner left-wing support -- both financing and votes -- for her anticipated Senate reelection bid next May. Teodoro said that Santiago had found U.S.-bashing useful, as it brought her money from the Left and face time with the media. Teodoro also dismissed the accusations by Nancy Gadian, saying that the military was weighing legal action against her as she was not officially retired from the Navy and was still subject to military discipline.

ACTIVE MEDIA ENGAGEMENT

¶11. (SBU) While the VFA hearing generated banner headlines

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highlighting the calls for abrogation of the treaty and featured pictures of heavily armed U.S. forces, proactive press outreach by the Ambassador and senior Mission members ensured that U.S. views were prominently featured as well. The Ambassador stressed repeatedly that U.S. forces are here at the invitation of the Armed Forces of the Philippines, and that as long as the Philippine government believes the U.S. is playing an important role, "We're an ally and we're staying. We'll not be in combat."

COMMENT

¶12. (C) The New York Times article was unfortunate, both in prompting the August 27 hearings and in feeding a false perception that the Philippine Government has little or no input regarding JSOTF-P's deployment. The hearing offered a platform for opponents of the U.S. military presence to air their views and increased the likelihood that our military engagement with the Philippines will be a high-profile issue in the 2010 election.

KENNEY